

Item 5.3 Heritage Response to Bill 23 Shortlist of Designation Candidates (PL-35-23)

Community Planning Regulation & Mobility Meeting
October 31, 2023

Bill 23 Background- Relevant Changes to Ontario Heritage Act

- Non-designated properties can only remain on Heritage Register for 2 years
- Non-designated properties on the Heritage Register on January 1, 2023 will be automatically removed on January 1, 2025 and cannot be added back for another five years
- Properties must meet at least two of nine criteria to be heritage designated
- Properties not on the heritage register when an Official Plan amendment, Zoning Bylaw Amendment or subdivision application is deemed complete cannot be heritage designated



490 Elizabeth Street, c. 1855, non-designated heritage property

Bill 23 Response- Background

June 27, 2023 CPRM Motion:

- Direct the Director of Community Planning to explore funding options to retain external consulting assistance to review and complete cultural heritage evaluation reports for a prioritized list of properties currently on the City's Cultural Heritage Register.



Shortlist Criteria

Prioritization Criteria

1. Architectural Style (Classical revival, Victorian, Vernacular...etc)
2. Property Type (Place of worship, institutional, house...etc)
3. Visibility From Street (Highly Visible / Partly Visible / Not Visible)
4. Integrity (Minor Alterations / Moderate Alterations / Major Alterations)
5. # Households within 400 metres (a five-minute walk)
6. Potential # of O. Reg. 9/06 Criteria Met (1-9) (Minimum two required to be met)



The Queens Hotel/Sherwood Inn, c. 1860, 400 Brant St, non-designated heritage property

Evaluation Criteria- Visibility from Street

Visibility from Street- E.g. 447-449 Locust Street, designated



Visible

- Close to the street
- Little or no permanent vegetation (ie. Trees or hedge) obstructing the house

Evaluation Criteria- Visibility from Street

Visibility from Street- E.g. 2373 Dundas Street, Non-designated

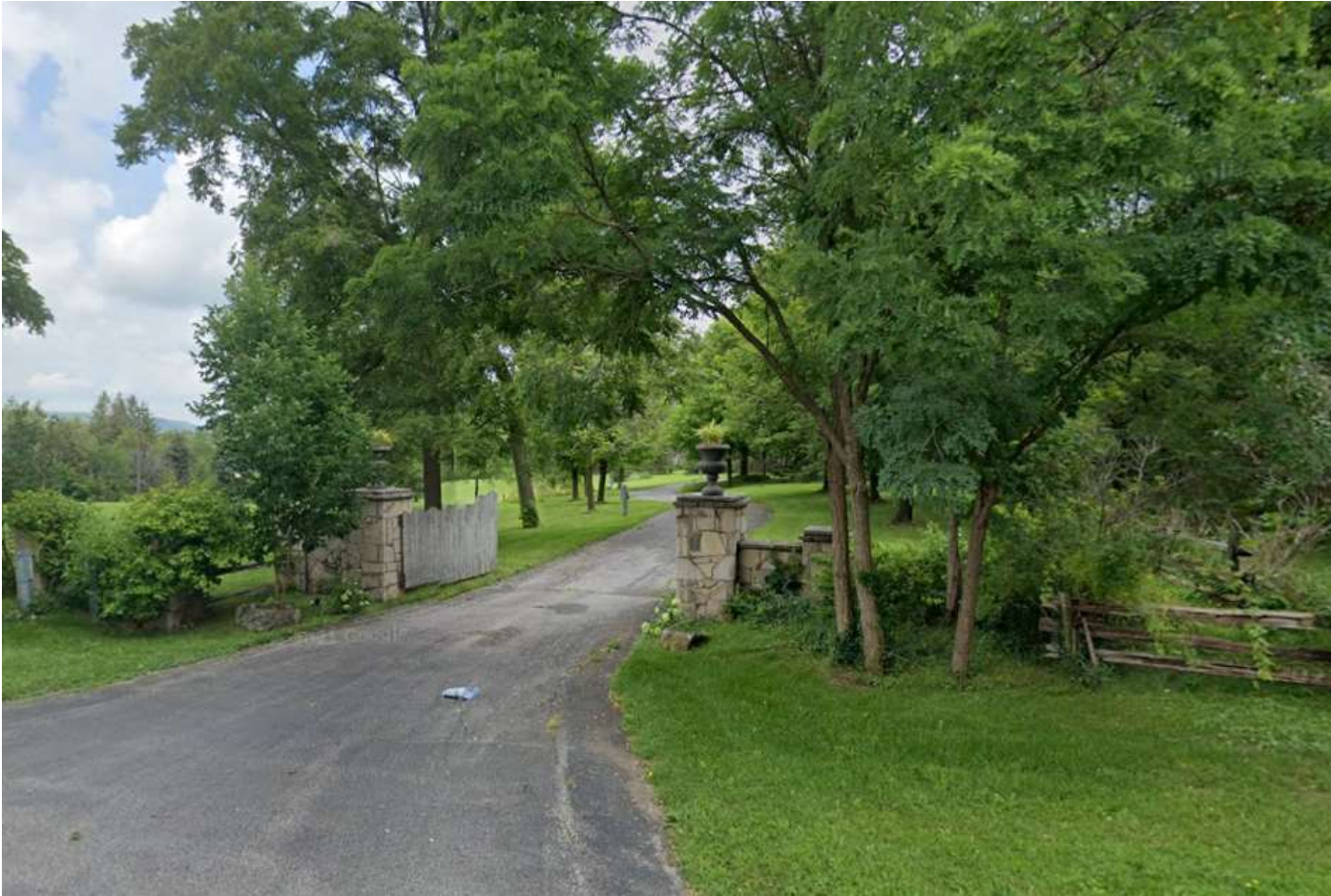


Moderately visible

- Significant setback from the street and/or
- Heavy vegetation in front of building

Evaluation Criteria- Visibility from Street

Visibility from Street- E.g. 6103 Guelph Line, Designated



Not Visible

- Unable to see from public right-of-way

Evaluation Criteria- Integrity

Integrity- E.g. 6006 Guelph Line, designated



Minor Alterations

- Very well preserved,
- Few, if any alterations

Evaluation Criteria- Integrity

Integrity- E.g. 470 Maple Street/1437 Elgin Street



Before



After

Moderate Alterations

- While form, scale and massing are intact, alterations have been performed that are difficult to reverse (ie. New exterior cladding/veneer)

Evaluation Criteria- Integrity

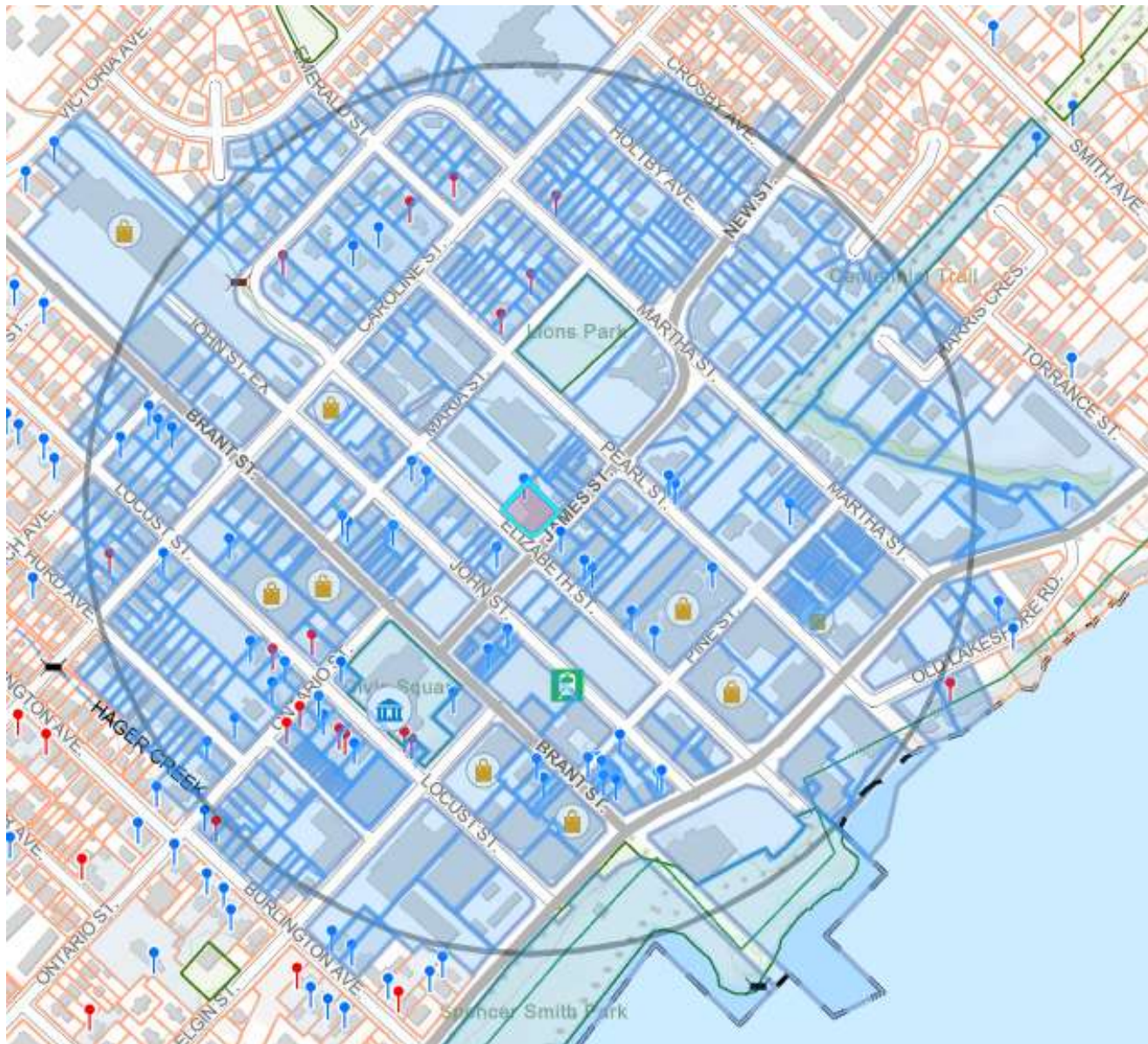
Integrity- E.g. 2357 Lakeshore Road, non-designated



Major Alterations

- Original form, scale and massing no longer intact or/
- Major alterations such that the house no longer resembles an historic property

Evaluation Criteria- Population



Households within 400m counted for each property

The Shortlist

- 25 properties recommended for study (23 consultant, 2 staff)
- Variety of place types:
 - places of worship
 - infrastructure building
 - commercial/mixed use buildings
 - Farmhouses & houses
 - High School
- Oldest built in 1830, newest in 1946
- Rural and urban properties included



Public Notification

- Staff send all owners of a non-designated property a mail notice about the Oct. 31 staff report, explaining the shortlist, evaluation criteria and advertising the City's incentive programs...
- Four owners are opposed:
 - 380 Brant St.,
 - 426 Burlington Ave.
 - 1433 Baldwin St.
(Burlington High School),
 - 416 Elizabeth St. (Knox Presbyterian)

Notice of upcoming report on the study of non-designated heritage properties for potential designation

Report Dates:

Community Planning Regulation & Mobility Committee: Tuesday, Oct. 31, 2023
City Council: Tuesday, Nov. 14, 2023

Dear Property Owner,

We are reaching out to you because you own a property that is listed on the City's Municipal Cultural Heritage Register. A staff report is going to the Community Planning Regulation & Mobility Committee meeting on Oct. 31, [2023](#) that may affect your property. The report discusses Ontario Bill 23, the More Home Built Faster Act, and its implications on heritage properties in Burlington. The report recommends that a shortlist of non-designated heritage properties on the Heritage Register be studied for potential heritage designation between now and Jan. 1, 2025.

The Heritage Register is a list of all historically significant properties in Burlington. It includes two types of properties: designated and non-designated. Designated properties are protected through a City Bylaw registered on title of the property. Non-designated properties are not subject to a bylaw, but an owner must notify City Council if they wish to demolish their property.

Provincial Bill 23 changed the *Ontario Heritage Act* to say that non-designated properties cannot be listed on the Heritage Register for longer than two years. Any non-designated property that was on the Heritage Register on Jan. 1, [2023](#) will be removed on January 1, 2025 and cannot be added back for five years unless it becomes heritage designated. This change affects over 200 properties on the Heritage Register.

Planning staff worked with the Heritage Burlington Advisory Committee and completed an evaluation of over 200 non-designated heritage properties in the City to create a list of the top 30 candidates for heritage designation. The evaluation categories were:

- **Architectural Style** -Classical revival, Victorian, Vernacular, etc.
- **Property Type** -Place of worship, institutional, house, etc.
- **Visibility from Street** - Highly Visible/Partly Visible/Not Visible
- **Integrity*** - Minor Alterations/Moderate Alterations/Major Alterations
- **Number of Households within 400m** or a 5-minute walk
- **Potential number of 9/06 Criteria Met** (1-9) Minimum 2 required to be met.

Recommendation

Direct the Director of Community Planning to retain a consultant to assess the eligibility of the following properties for potential heritage designation under Part IV of the Ontario Heritage Act, consult the Heritage Burlington Advisory Committee, and report back to Council with statements explaining the cultural heritage value or interest of qualifying properties prior to January 1, 2025...

Approve an upset limit of \$125,000 for the study, funded from the Tax Rate Stabilization Reserve Fund;

and Direct the Director of Community Planning to assess the eligibility of the following properties for potential heritage designation under Part IV of the Ontario Heritage Act, consult the Heritage Burlington Advisory Committee, and report back to Council with statements explaining the cultural heritage value or interest of qualifying properties prior to January 1, 2025...

Shortlist



1. 461 Elizabeth- Knox Presbyterian Church (Downtown Heritage Study)



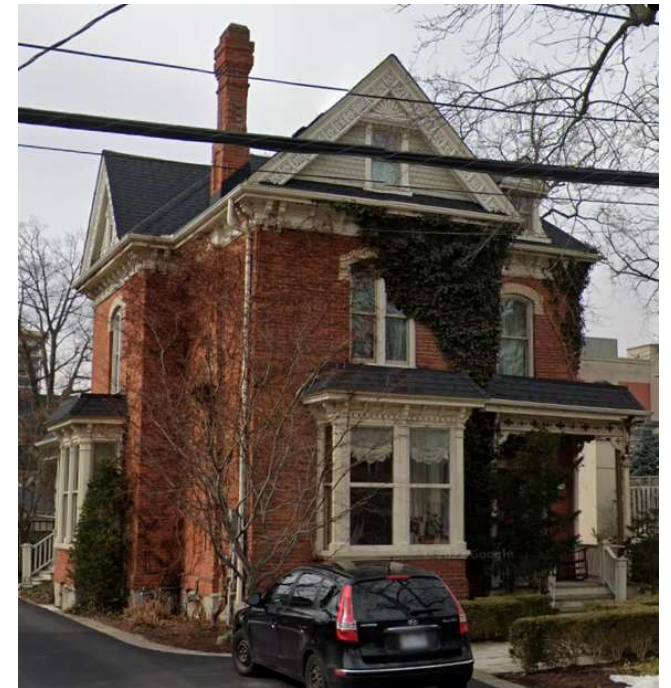
2. 451 Elizabeth- The Iron Duke (DHS)



3. 2137 Lakeshore Road- Sewage Pumping Station

Shortlist

4. 472 Locust Street- L'Eglise St Philippe Originally Calvary Baptist Church (DHS)
5. 482 Elizabeth Street- The Laing - Speers House and former Burlington Public Library (DHS)
6. 472 Burlington Ave- George Blair House (DHS)



Shortlist

7. 466 Burlington Ave- O.T. Springer House (DHS)
8. 451 Nelson Ave- Thomas Rogers House
9. 518 Hager Ave- Calvary Baptist Manse



Shortlist

- 10. 380 Brant St- Hotel Raymond (DHS)
- 11. 562 Maple Ave- The Robert Lindley House
- 12. 1406 Ontario St.- The Robert John Allen House



Shortlist

- 13. 1419 Ontario St.- The O'Brien - Connell House
- 14. 460 Burlington Ave- Henry Foster House (DHS)
- 15. 458 Elizabeth St- John Taylor House (DHS)



Shortlist

- 16. 490 Elizabeth St- Laing Fisher House (DHS)
- 17. 400 Brant St- Sherwood Inn
- 18. 426 Burlington Ave- William Emory House (DHS)



Shortlist

19. 2464 Dundas St- St. John's Anglican Church

20. 437 Burlington Ave- Thomas Colling- Susan and Percy Dawson House (DHS)

21. 2003 Lakeshore Road- Royal Bank (DHS)



Shortlist

22. 390 John St.- Shaver Building (DHS)

23. 2437 Dundas St- Nelson United Church and Cemetery

24. 368 Brant Street- Boot and Shoe store (DHS)



Shortlist

- 25. 550 Hurd Ave- The Hepton Weeks Huse
- 26. 2280 No. 2 Side Rd.- Pitcher Homestead
- 27. 6414 Walker's Line The Donald McGregor Farmhouse



Shortlist

28. 2066 Kilbride St.- Kilbride United Church

29. 367 Torrance St.- The Torrance House

30. 1433 Baldwin St.- Burlington Central High School

